

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION

| | | |
|-------------------------------|---|-------------------------|
| IN RE: ANDRENITA HADDAD |) | |
| <u>Debtor(s)</u> |) | CHAPTER 13 |
| |) | |
| CREDIT ACCEPTANCE CORPORATION |) | CASE NO. 20-12890 (MDC) |
| <u>Moving Party</u> |) | |
| |) | |
| v. |) | |
| |) | 11 U.S.C. 362 |
| ANDRENITA HADDAD |) | |
| <u>Respondent(s)</u> |) | |
| |) | |
| KENNETH E. WEST |) | |
| <u>Trustee</u> |) | |
| |) | |
| |) | |
| |) | |

**CERTIFICATION OF DEFAULT BY DEBTOR VIOLATION OF STIPULATION
APPROVED ON AUGUST 5, 2021 AND EX PARTE REQUEST FOR RELIEF FROM
THE AUTOMATIC STAY**

Comes now Credit Acceptance Corporation (“Credit Acceptance”) filing this Certification of Default and ex parte request for relief from the automatic stay and hereby certifies;

1. That on August 5, 2021, the Court entered an Order approving a Stipulation providing for an arrearage cure, monthly payments to Credit Acceptance, and for relief from the automatic stay under certain circumstances.
2. Paragraph three (3) of the Stipulation provides that Debtor is to cure the amount of \$1,932.26 (consisting of ½ the arrears) through her Chapter 13 Plan.
3. Paragraph three (3) of the Stipulation further provides that the Debtor is to cure the remaining \$1,932.26 of arrears by making her regular monthly payment of \$554.42 plus an additional \$322.04 (total payment of \$876.46) per month for the months of July through December 2021 directly to Credit Acceptance.
4. Paragraph four (4) of the Stipulation provides that commencing July 2021, if the Debtor fails to make any payment to Credit Acceptance within thirty (30) days after it falls due, Credit Acceptance may send, via facsimile and regular mail, the Debtor and counsel a written notice of default of the Stipulation. If the default is not cured within ten (10) days of the date of the notice, counsel may file a Certification of

Default with the Court and serve it on all interested parties, and the Court shall enter an Order granting relief from the automatic stay.

5. In violation of the Stipulation, the Debtor failed to make the payments due for January through May 2023, for a default through May 2023 in the amount of \$2,707.22. In addition, the June 2023 payment is more than thirty (30) days past due, resulting in a total default through June 2023 in the amount of **\$3,261.64**
6. On June 20, 2023, Credit Acceptance served a 10-day default letter on the Debtor and her attorney in accordance with the terms of the Stipulation. The Debtor made a payment of \$2,500.00 on July 10, 2023, but that payment was returned for non-sufficient funds on July 18, 2023.
7. As a result of the defaults stated in paragraph five (5) of this Certification, Credit Acceptance is entitled to stay relief a in regards to personal property described as a 2014 Acura MDX bearing vehicle identification number 5FRYD4H44EB048372.

Respectfully submitted:

/s/ William E. Craig

William E. Craig

Morton & Craig LLC

110 Marter Avenue, Suite 301

Moorestown, NJ 08057

Phone 856/866-0100, Fax: 856/722-1554

Bar ID 92329

Local Counsel for Credit Acceptance Corporation